

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANNA REYES, *et al.*

Plaintiffs,

v.

COUNTY OF KERN.

Defendant.

Case No. 1:21-cv-01340-CDB

ORDER GRANTING PETITION FOR
APPROVAL OF MINOR'S COMPROMISE OF
CLAIMS

(Docs. 43, 45)

21-Day Deadline

On July 28, 2023, Plaintiffs filed a petition for approval of minor's compromise of claims. (Doc. 43). On August 2, 2023, the Court ordered Plaintiffs to submit supplemental briefing after determining Plaintiffs' petition did not satisfy the requirements under Local Rules 202. (Doc. 44 at 4-6) (noting Plaintiffs' petition did not adequately address the suitability of the settlement amount and the proposed attorney's fees).

On August 16, 2023, Plaintiffs filed a supplement in support of the petition for approval of minor's compromise of claims. (Doc. 45). In that supplement, Plaintiffs addressed the steps the parties took to settle this matter and represented "that the proposed compromise settlement as being fair, reasonable, and in the best interests of said minor plaintiffs." *Id.* at 3. Plaintiffs provided responsive information on how Plaintiffs' counsel became involved in this case. *Id.* at 3-4. Further, Plaintiffs provided details about the manner of disbursement of funds to the minor Plaintiffs.

1 Plaintiffs also provided case authority citing examples of recoveries in similar cases
2 demonstrating the suitability of the settlement amount. (Doc. 45 at 5-6). Plaintiffs assert the
3 attorneys' fees set at \$7,250 (25% of \$29,000) and \$7,563.96 in litigation costs are appropriate. *Id.* at
4 4-5. Plaintiffs note a 25% recovery in attorney's fees in contingency cases involving minors is a
5 benchmark in the Eastern District and provides details on the litigation costs associated with this
6 action. *Id.*

7 Plaintiffs' petition and supplemental briefing satisfy the requirements of Local Rule 202 and
8 persuade the Court the compromise is fair and reasonable. Moreover, Plaintiffs' briefing establishes
9 good cause for Plaintiffs' attorney's fees and litigation costs. Accordingly, IT IS HEREBY

10 ORDERED

- 11 1. Plaintiffs' petition for approval of minor's compromise of claims (Doc. 43) is GRANTED;
- 12 2. Defendant Kern County on behalf of Kern County Sheriff's Department will pay the sum
13 of \$19,333.33 payable in one check to guardian ad litem Christina Hungerford on behalf of
14 minors K.H.B. and P.H.B., and their attorney's client trust account, Geragos & Geragos
15 IOLTA;
- 16 3. Defendant Kern County on behalf of Kern County Sheriff's Department will pay the sum
17 of \$9,666.67 payable in one check to Anna Reyes, and her attorney's client trust account
18 Geragos & Geragos IOLTA;
- 19 4. Attorney's fees and costs shall be paid to Geragos & Geragos, APC as follows: attorney's
20 fees in the amount of \$7,250 to be borne equally by all Plaintiffs and costs and expenses
21 that were incurred and/or advanced by counsel total \$7,563.96 to be borne equally by all
22 Plaintiffs;
- 23 5. Plaintiffs L.B.H. and P.B.H.'s share of \$9,457.36 settlement proceeds shall be deposited
24 into a blocked account for which their mother will serve as trustee, with the express
25 restriction that no sum can be withdrawn without court order, or until the children become
26 eighteen years old; and

6. The parties are directed to file dispositive document within twenty-one (21) days of the date of this order, or on or before that date, show cause for an extension of time. *See Local Rule 160(b).*

IT IS SO ORDERED.

Dated: August 24, 2023



UNITED STATES MAGISTRATE JUDGE